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USDC SD TY

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Based on plaintiff's failure to prosecute and appear with counsel for a scheduled conference, it is hereby

Defendant.

ORDERED, that the above-entitled action be, and the same hereby is, discontinued, provided, however, that by March 31, 2008, Plaintiff, by counsel, may apply by letter showing good cause why this action should be restored to the calendar of the undersigned.

SO ORDERED.

Dated: New York, New York March 21, 2008

Richard M. Berman, U.S.D.J.